

## Wyoming Administrative Rules

# Secretary of State

## Notary Rules

### Chapter 6: Notarial Acts

**Effective Date:** 12/02/2021 to Current

**Rule Type:** Current Rules & Regulations

**Reference Number:** 002.0012.6.12022021

## **Chapter 6 Notarial Acts**

**Section 1. Authority & Purpose.** These rules are promulgated pursuant to Wyoming Statute § 32-3-125 of the Wyoming Revised Uniform Law on Notarial Acts (“Act”). The purpose of the Act is to set forth a commissioning process and regulation of all notarial acts under Wyoming law. The Secretary of State is establishing these rules to comply with the Act.

**Section 2. Identification Credential.** For the purpose of evidencing a person’s identity for satisfactory evidence, the identification credential shall comply with W.S. § 32-3-102(a)(xiv) and shall contain a photograph of the principal or the credible witness(es).

### **Section 3. Notary Journal.**

(a) Upon discovering that the notary public’s journal is lost or stolen under W.S. §32-3-118(j), the notary public shall promptly notify the Secretary of State by sending an email to [notaries@wyo.gov](mailto:notaries@wyo.gov). If a notary public does not have access to email, they shall send a letter to the Compliance Division of the Wyoming Secretary of State at 122 West 25<sup>th</sup> Street, Suite 100, Cheyenne, WY, 82002-0020.

(b) Nothing in these statutes or rules shall prevent a person, as defined in W.S. § 32-3-102(a)(xxiv), from implementing additional retention and journal content requirements.

### **Section 4. Remote Notarizations.**

(a) For all remote notarizations, the notarial certificate shall include the name of the electronic notarization system or other form of communication technology used to perform the notarial act.

(b) Nothing in these statutes or rules shall prevent a person, as defined in W.S. § 32-3-102(a)(xxiv), from requiring a specific electronic notarization system rather than another form of communication technology.

(c) Nothing in these statutes or rules shall prevent a person, as defined in W.S. § 32-3-102(a)(xxiv), from implementing additional retention requirements for the audio/visual recording of the notarial act.

**Section 5. Education Requirements.** A notary public shall review the Notary Education Presentation that is located on the Wyoming Secretary of State’s website at <https://sos.wyo.gov/Services/Notaries.aspx> for every term. They shall certify that the presentation has been completed on their application.

### **Section 6. Travel fees.**

(a) Pursuant to W.S. § 32-3-126(d)(iii), a notary does not have to refund travel fees that were paid prior to performing a notarial act in the following circumstances:

- (i) Any reason that gives the notarial officer the authority to refuse to perform a notarial act under W.S. § 32-3-112; or
  - (ii) If the principal cancels the notarial act with less than a 24-hour notice.
- (b) A notary shall refund the travel fee if the notarial officer cancels and does not complete the notarial act.